

AMENDED IN ASSEMBLY MAY 7, 2015

AMENDED IN ASSEMBLY APRIL 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 976

Introduced by Assembly Member Steinorth
(Coauthors: Assembly Members Lackey, Mullin, and Williams)

February 26, 2015

An act to add and repeal Section 17239 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 976, as amended, Steinorth. Personal income tax: deductions: qualified pet adoption costs.

The Personal Income Tax Law, in modified conformity with federal income tax laws, allows various deductions in computing the income that is subject to the taxes imposed by that law, including miscellaneous itemized deductions that are allowed only to the extent that the aggregate amount of those deductions exceed 2% of adjusted gross income.

This bill, for taxable years beginning on or after January 1, 2016, and before January 1, 2021, would allow a deduction, not to exceed \$100, under that law for the qualified costs paid or incurred by a taxpayer for the adoption of a qualified pet, as defined, from a qualified animal rescue organization.

This bill would take effect immediately as a tax levy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 17239 is added to the Revenue and Taxation Code, to read:

17239. (a) For each taxable year beginning on or after January 1, 2016, and before January 1, 2021, there shall be allowed as a deduction an amount equal to the qualified costs paid or incurred during the taxable year by a taxpayer for the adoption of a qualified pet from a qualified animal rescue organization.

(b) For the purposes of this section, the following definitions shall apply:

(1) "Qualified animal rescue organization" means a public animal control agency or shelter, humane society shelter, or rescue group.

(2) "Qualified costs" means amounts paid or incurred to a qualified animal rescue organization to adopt a pet, not to exceed one hundred dollars (\$100).

(3) "Qualified pet" means ~~any~~ *either* of the following animals adopted from a qualified animal rescue organization that is not used by the taxpayer in a trade or business or for the production of income:

~~(A) A Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier, or any mixed breed of dog which contains, as an element of its breeding, any of these breeds, which is identifiable by a qualified animal rescue organization as being partially of that breed.~~

~~(B) A Chihuahua or mixed breed of dog which contains, as an element of its breeding, a Chihuahua breed, which is identifiable by a qualified animal rescue organization as being partially of that breed.~~

~~(C) A cat.~~

~~(A) A pet over four years of age, as determined by the qualified animal rescue organization.~~

~~(B) A cat.~~

(4) "Rescue group" means an organization exempt from federal income taxation as an organization described in Section 501(c)(3) of the Internal Revenue Code, whose primary purpose is the placement of dogs, cats, or other animals that have been removed from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society, or that

1 have been surrendered or relinquished to the rescue group by the
2 previous owner.

3 (c) The deduction allowed under this section for a taxable year
4 shall not exceed one hundred dollars (\$100).

5 (d) This section shall remain in effect only until December 1,
6 2021, and as of that date is repealed.

7 SEC. 2. This act provides for a tax levy within the meaning of
8 Article IV of the Constitution and shall go into immediate effect.

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